

FILED

2019 APR 23 P 1:30

NEW HANOVER CITY, C.S.C.

STATE OF NORTH CAROLINA
COUNTY OF NEW HANOVER

IN THE GENERAL COURT OF JUSTICE
SUPERIOR COURT DIVISION
FILE NO. 19-CVS-

NEIGHBORHOOD NETWORKS
PUBLISHING, INC. and N2
FRANCHISING, LLC,
Plaintiffs

v.

JACQUELINE MARIE LYLES and
LIFESTYLE PUBLICATIONS LLC,
Defendants

AFFIDAVIT OF
KATE SILBERFELD

A TRUE COPY
CLERK OF SUPERIOR COURT
NEW HANOVER COUNTY
BY: *Charlotte A. Ramey*
Deputy Clerk of Superior Court

Kate Silberfeld, being first duly sworn, deposes and says:

1. I am over 18 years of age, and I suffer from no mental disability.

I am competent to testify concerning the matters stated herein, and the statements contained in this Affidavit are based upon my personal knowledge, except as to those matters stated on information and belief, which I believe to be true.

2. I am the lead person for Plaintiff Neighborhood Networks Publishing, Inc.'s ("N2") Field Support team.

3. The primary responsibility of N2's Field Support team is to provide non-sales related support to N2's Area Directors throughout the publishing cycle. For example, we help Area Directors with accessing and using N2's Portal and PubManager when they have problems or questions.

4. Field Support uses the general email account fieldsupport@n2pub.com to communicate and otherwise help fulfill our responsibilities.

5. On or about March 29, 2019, we received an email to that address from an email account jackielyles@att.net with subject line "former client requesting the ad we did for them". Attached and incorporated herein as Exhibit A

is a true and accurate copy of that email and all emails exchanged between me and jackielyles@att.net under that subject line and related to this matter.

6. Upon information and belief, that email was sent by Jackie Lyles, who is a former N2 Area Director.

7. The email opens by stating "I used to work for n2 and 'retired' recently." The email then goes onto to say that an N2 advertising client, who I later identified as Cunningham Associates, wanted a copy of the advertisement that N2 had designed and created for it. *See, Ex. A.*

8. Relying on the statement that she was "retired", and wanting to help, which is a defining trait of N2 Field Support, I provided her with a link to PubManager so she could pull the requested advertisement directly. *See, Ex. A.*

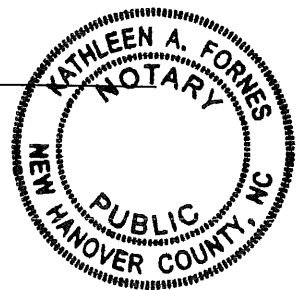
9. Although I did not know it when I responded to her email, I now know that Jackie Lyles is working for Lifestyle Publications whom I know to be a business competitor of N2.

10. Had Jackie Lyles contacted Field Support using an @lifestylepubs.com email address or otherwise disclosed that she works with Lifestyle Publications, I would not have provided her access to a copy of the requested customer advertisement.

This the 18 day of April, 2019.



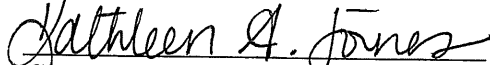
Kate Silberfeld



NEW HANOVER COUNTY, NORTH CAROLINA

Sworn to (or affirmed) and subscribed before me this day by Kate Silberfeld.


Date 4/18/2019



Signature of Notary Public

My commission expires: 02/28/2021

Jackie Lyles

⋮  Kate Silberfeld ▾ ☆



former client requesting the ad we did for them

Hi field support ;)

I used to work for n2 and "retired" recently.

I have a previous client in the Peachtree Battle Living publication (GA_Peachtree) that would like the ad we did for them emailed to them. They are copied on this email.

I don't have access to n2 and pub manager any longer.

Would you please email Jere Smith the last ad you all did for them?

Their last ad ran in the 2/2019 issue.

Many thanks! Hope you all are well!

Best,

Jackie Lyles

21d · 

jsmith@cunninghamhvac.com was added to the conversation by Jackie Lyles 21d ago

jsmith@cunninghamhvac.com was removed from the conversation by Kate Silberfeld 21d ago

Hi Jackie,



I hope you're doing great! Is this for Cunningham Associates? If so, here's a link to the ad:
<https://pubmanager.n2pub.com/share/ga/ohX4AfGu>

I removed the client from this email chain.

21d

Kate replied and closed this conversation 21d ago

Kate Silberfeld assigned this conversation to Kate Silberfeld and reopened it 21d ago

Kate closed this conversation 21d ago



thank you Kate -

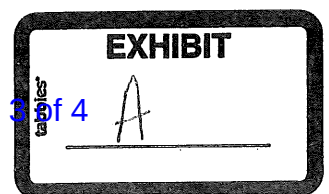
I will forward to Jere from Cunningham.

;)

jackie

21d · 

Kate closed this conversation 21d ago





Field Support <fieldsupport@n2pub.com>

former client requesting the ad we did for them

1 message

Jackie Lyles <jackielyles@att.net>
Reply-To: Jackie Lyles <jackielyles@att.net>
To: "fieldsupport@n2pub.com" <fieldsupport@n2pub.com>
Cc: Jere Smith <jsmith@cunninghamhvac.com>

Thu, Mar 28, 2019 at 12:23 PM

Hi field support :)

I used to work for n2 and "retired" recently.

I have a previous client in the Peachtree Battle Living publication (GA_Peachtree) that would like the ad we did for them emailed to them. They are copied on this email.

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Would you please email Jere Smith the last ad you all did for them?
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Many thanks! Hope you all are well!
Best,
Jackie Lyles